



**MONTANA STATE BOARD OF NURSING
MEETING MINUTES – FULL BOARD
JULY 24 & 25, 2002**

ATTENDANCE:

MEMBERS PRESENT:

Kim Powell RN
Gretchen McNeely RN
Sharon Dschaak LPN, Secretary

Vickie Badgley LPN
Jeanine Thomas LPN
Steve Rice, Public Member
Lorena Erickson Public Member

MEMBERS ABSENT:

Jack Burke, RN, President

STAFF PRESENT:

Barbara Swehla, RN, Executive Director
Jill Caldwell RN, Nursing Practice Manager (present intermittently)
Darcee Moe, Board Counsel
Lori Ballinger, Department Counsel (present intermittently)
Jean Purus, License Technician

Other visitors and guests were present at various times throughout the meeting. Sign in sheets are kept on file.

CONVENE:

The Board of Nursing convened at 2:15 p.m., July 24, 2002 in the Federal Building, fourth floor conference room, 301 South Park, Helena Montana.

CALL TO ORDER:

The meeting was called to order by Secretary, Sharon Dschaak, LPN, at 2:15 p.m.

QUORUM:

Secretary, Sharon Dschaak, LPN Member, declared a quorum present.

**ADOPTION OF
AGENDA:**

The agenda for the July 24 & 25, 2002 Board of Nursing meeting was reviewed and one item added: reinstatement of Mary Eggum, LPN. Jeanine Thomas LPN member, moved to adopt the amended agenda, Gretchen McNeely, RN member, seconded and was adopted by unanimous vote.

MINUTES:

Full Board minutes from April 2002 were approved as amended by a unanimous vote. Lorena Erickson, Public Member, moved to approve, Jeanine Thomas, LPN member, as second.

**MAIL BALLOT
REPORTS:**

Prescriptive Authority: mail ballot report was approved by unanimous vote. The move for approval was by Kim Powell, RN member, with Lorena Erickson, Public Member as second.

REPORTS:

No President's report was submitted.

Executive Director's report was reviewed with discussion regarding Budget for 2004-2005 to be discussed at the October 2002 Full Board Meeting, due to upcoming Special Legislative Session in August and anticipated budget cuts for fiscal 2003. The report was approved by unanimous vote.

Budget report was provided verbally by Lisa Addington, Bureau Chief. She referred to the document showing summary of fiscal year end 2002. Ms. Addington made commentary to the fact

that the Special Session of the Legislature convening August 2002, would have information to be shared at the October 2002 Meeting. The Executive Director discussed the Oracle Database development funds that were charged to the board (\$57,000) as a result of responding to a Legislative Audit Report and Recommendation. This topic was again clarified and explained by Ms. Addington and Ms. Swehla.

Nurses' Assistance Program report was reviewed: NAP consultant, Carol Sem, was present and entertained questions. Trends were discussed.

Kathy Apple, Executive Director for the National Council of State Boards of Nursing was a guest at the meeting. Kathy expressed that other Boards of Nursing are experiencing the same issues that face our Board, citing specifically the increase in compliance and impairment issues. She will relate these issues to National Council.

Ms Apple stated that she was impressed with the Board of Nursing website.

EXECUTIVE SESSION: Secretary Sharon Dschaak, LPN member, requested an Executive Session at 4:00 p.m. to discuss matters in which the individual's right to privacy exceeds the public's right to know.

RETURN TO REGULAR SESSION: The Board returned to regular session at 4:30 p.m.

NURSING EDUCATION PROGRAM ANNUAL REPORTS: Note: all of the program directors/deans were present either in person or by conference phone to hear the board's deliberations and provide explanation if needed.

MSU Bozeman

Motion: by Steve Rice, Public Member, second by Kim Powell, RN member:" move for acceptance of annual report of MSU Bozeman. Passed unanimously with no abstentions from the vote or recusals. The board reviewers noted excellent progress toward stated goals, efforts to increase the number of males in the program, and plans for significant enrollment increases.

Helena: Carroll College

Motion: "to accept the annual report from Carroll College." Motion came from Lorena Erickson, Public Member. The motion passed unanimously with no abstentions from the vote or recusals. The board reviewers commented on the excellent organization of the report and identified no concerns.

Miles Community College

Motion: "refer annual report for MCC to Education Committee for review and recommendation." Kim Powell, RN member, made the motion and Vickie Badgley, LPN member, as second. Motion passed unanimously with no abstentions from the vote or recusals. The board reviewers indicated a desire to have a more specific plan for improving NCLEX pass rates, concerns about professional development of faculty not in the areas of teaching responsibility, and improving the program's retention rate.

MSU-Northern

Motion: "accept the annual report for MSU Northern." Motion entered by Sharon Dschaak, LPN member, Lorena Erickson, Public member, as second. The motion passed unanimously with no abstentions from the vote or recusals. The board reviewers commended the program for the thorough plan for improving NCLEX pass rates. They also indicated concerns about professional development of faculty not in the areas of teaching responsibility.

NURSING EDUCATION

**PROGRAM ANNUAL
REPORTS (continued):**

Salish-Kootenai College

Motion: “accept the Annual report for 2000-01 and 2001-02 for Salish-Kootenai College submitted June 2002.” Motion provided by Gretchen McNeely, RN member, second by Jeanine Thomas, LPN member, the motion passed unanimously with no abstentions from the vote or recusals. The board reviewers commended the program for well-developed goals and meeting the challenge of coordinating student experiences with other nursing programs.

Billings MSU-COT

Motion: “to accept the annual report of MSU Billings COT.” The motion was entered by Vicki Badgley, LPN member, second was from Lorena Erickson, Public Member. Motion passed unanimously with no abstentions from the vote or recusals. The board reviewers commended the program for the implementation of the Community/Student Connections. They expressed concern about faculty professional development lacking substantive education and relationship to teaching responsibilities.

Butte – Montana Tech of the University of Montana

Motion: “accept the Annual report of Butte COT LPN program.” Kim Powell, RN member, provided the motion, Gretchen McNeely, RN member, provided the second.”The full Board passed unanimously with no abstentions from the vote or recusals. The board reviewers had questions relating to the length of review in program development and ensuring appropriate faculty/student ratios with increasing enrollment.

Great Falls-MSU-COT

Motion: “to accept the annual report for MSU Great Falls College of Technology.” The motion was entered by Sharon Dschaak, LPN member, second by Lorena Erickson, Public member. The full Board passed the motion unanimously with no abstentions from the vote or recusals. The board reviewers commended the program on excellent NCLEX pass rates and expressed concern about 20% of faculty being on education waiver, though the current rules do not have a limit for PN programs.

UM Missoula COT

Motion: “accept the annual report of the Missoula COT (May 2002) pending the receipt of a document addressing the Board concerns and recommendations from the last self-study and site survey which was to have been addressed.” The motion requested: bring the items to the October meeting, unless they were supplied prior to that date.” The motion was passed unanimously with no abstentions from the vote or recusals. The board reviewers commended the program on good NCLEX pass rates.

Note: *Following this review of the annual reports, the board recommended that the Education Committee follow up in the following two areas: (1) ensuring that the reports are properly tabbed for efficient access to report information, and (2) work on professional development/continuing education requirements for program faculty*

**UNLICENSED
PRACTICE REPORT:**

Sandra Kay Campbell – Unlicensed Practice

Vickie Badgley, LPN, made a motion “to have the Board Attorney notify Madison County of Sandra K. Campbell practicing unlicensed nursing.” Lorena Erickson, Public Member as second. The motion passed unanimously with no abstentions from the vote or recusals.

**REQUESTS FOR
REINSTATEMENTS:**

Request for Reinstatement: Geri Dess, LPN 6948

Steve Rice, Public Member, made a motion to “ recommend reinstatement of license for Geri Dess.” The motion was seconded by Lorena Erickson, Public Member, and passed unanimously with no abstentions from the vote or recusals.

Request for Reinstatement: Lynaya Green, RN 8923

Kim Powell, RN Member, moved for “reinstatement of license for Lynaya Green.” The motion was seconded by Steve Rice, Public Member, and passed unanimously with no abstentions from the vote or recusals.

Request for Reinstatement: Mary Eggum, LPN 4219

Steve Rice, Public Member, moved to “release from probation, Mary Eggum, LPN.” The motion was seconded by Lorena Erickson, Public Member, and passed unanimously with no abstentions from the vote or recusals.

APRN SCOPE OF PRACTICE

APRN Scope of Practice-Guidelines

Kim Powell, RN Member, read a position statement that provided history, involved parties and a summary of the draft submitted for Board review and decision. Objections were voiced by individuals in the audience regarding oncology, critical care and rehabilitation Clinical Nurse Specialist (CNS) areas of specialty. This was referred back to committee and will be discussed again at the October 2002 Board of Nursing meeting.

APRN RULE ADOPTION

Rule Adoption: APRNs, Two Year Renewal Cycles-Rule Revisions

The Board reviewed the transcript of the hearing as well as all testimony regarding the MAR Notice of Rule Amendment 24-32-55. The Board addressed each comment received. The changes are:

8.32.307 (1) (a) (b) (c) (d), “(1) Clinical nurse specialist practice means the independent and collaborative delivery and management of expert level nursing care to individuals or groups, including the ability to:

(2) For the psychiatric clinical nurse specialist certified before July 1, 2005, the practice of that clinical nurse specialist also includes the independent and collaborative practice of psychiatric nursing and management of expert level psychiatric nursing care to individuals or groups of individuals. The practice requires the integration of clinical knowledge with clinical practice, and may include pharmacological management.”

The rest of the proposed language remains as noticed. The motion was seconded and passed unanimously. **8.32.303, 8.32.307, 8.32.411, 8.32.425, 8.32.1503, 8.32.1504, 8.32.1508**

Kim Powell, RN made the motion to adopt rule changes as amended. Jeanine Thomas, LPN Member was the second. The motion passed unanimously with no abstentions from the vote or recusals.

Note: Ms. Powell explained that it is important for all parties to be informed that these rules were written and considered by the board in a process INDEPENDENT of the Centers for Medicare and Medicaid (CMS) regulations regarding the physician supervision and the provision for Governors to Opt-Out. She also explained that CNSs with APRN status and Prescriptive Authority who receive their endorsements prior to July 2005 will be grandfathered in. Ms. Powell also addressed the need for continuing education and addressed the fact that it is consistent with that required for certification.

BUDGET, NEWSLETTER, FORMS

Budget 2004-2005

This will be discussed at the October 2002 Board of Nursing Meeting as the budget data is not yet complete.

Newsletter

Board Member Article: Kim Powell, RN will write an article about APRN rules subcommittee for the October newsletter.

Probation Evaluation Reports

Barbara Swehla, E.D., provided explanation for the creation of new probationary quarterly report forms. The rationale for change is to decrease the amount of handwriting the licensee and the supervisor are required to do (using check marks instead), to provide a format in which board staff could more easily identify trends, and to improve on the meaningfulness of the process and the document.

Lorena Erickson, Public Member made motion "to accept the draft copy of the Licensee/Probationer Evaluation report and Supervisor/Employee Evaluation report." Jeanine Thomas, LPN gave the second, motion passed unanimously with no abstentions from the vote.

COLLABORATIVE PAIN STATEMENT

Pain Statement – Joint Statement for Pharmacy, Medical, and Nursing Boards

Rebecca Deschamps, RPh, Executive Director, Board of Pharmacy provided follow up discussion to the letter presented at the April 2002 Board meeting. Ms Deschamps indicated that she had reported her opinion and not that of the Board of Pharmacy. Motion and vote were done by email following the meeting, since a motion did not occur. The mail ballot report will be presented to the board at the October meeting.

ADJOURNED

The Full Board adjourned at 7:30pm.

RECONVENED:

Full Board reconvened at 9:00 am on Thursday July, 25, 2002.
Quorum was established and called to order by Sharon Dschaak, LPN.

NURSING EDUCATION COMMITTEE

RECOMMENDATIONS: Jeanine Thomas, LPN made "motion to approve the annual report from Helena COT submitted June 1, 2002." Gretchen McNeely, RN, made a second, the motion passed unanimously with no abstentions from the vote or recusals. The board reviewers expressed no concerns and commended the program for the development of the latex allergy policy.

Gretchen McNeely, RN, gave a report on the Education Committee. The following motions come by recommendation of the Education Committee:

NCLEX Education Plan: MSU Billings COT Graduate K. Peck

The committee reviewed the plan submitted by MSU Billings applicant, Kathleen Peck. The motion from committee: "To accept the education plan of Kathleen Peck to allow her to sit for NCLEX PN test for the 3rd time ." The motion was approved unanimously with no abstentions from the vote or recusals.

NCLEX Education Plan: MSU Northern Graduate D. Hryszko

The committee reviewed the plan submitted by the NCLEX-RN applicant, Davida Hryszko, who has failed NCLEX two times and needs an approved education plan to sit for a third time.

Motion: "accept the self plan of study for preparation for NCLEX-RN for Davida Hryszko dated June 28, 2002 and authorization to sit for NCLEX-RN the 3rd time after verification of completion of education plan". The motion came from Committee and was passed unanimously by the full board with no abstentions from the vote or recusals.

NURSING EDUCATION NCLEX Education Plan: MSU Northern Graduate T. Benson

**COMMITTEE
RECOMMENDATIONS
(continued)**

The committee reviewed the plan submitted by the MSU Northern applicant, Tara Benson, who has failed NCLEX two times and needs an approved education plan to sit for a third time. Motion: “accept the education plan for Tara Benson.” The requested additional information on a specific plan of education for preparation to sit for NCLEX-RN has been submitted and accepted by committee. The motion came from Committee and was passed unanimously with no abstentions from the vote or recusals.

Applicant: Frances L. Behrman

Motion from committee: moved to “notify Frances L. Behrman that she #1 needs to complete a registered nurse psychiatric nursing course #2 after completion of psychiatric nursing course make application to site for the NCLEX-RN exam”. The full board defeated the motion unanimously with no abstentions from the vote or recusals.

NCLEX Pass Rates and Program Expansions

Sharon Dschaak, LPN Member, made motion to “at least 3 of the last 5 years of NCLEX pass rates at or above the national average is required in order for the board to consider any expansion request”. Motion from committee, passed unanimously with no abstentions from the vote or recusals.

Faculty Qualifications – MSU Bozeman

The following faculty qualifications were approved:
Laurie Glover with education waiver, John Honsky with education waiver, and Katie Mackey with education waiver. Ms. Mackey’s qualifications are only approved pending receipt of verification of recent clinical experience for the area of teaching responsibility.

Site Visit Report: U of M – Montana Tech Butte – RN Program

Motion from committee to accept the site visit report and four year approval; passed unanimously with no abstentions from the vote or recusals.

Proposed Curriculum Changes: U of M – Montana Tech Butte – RN Program

Motion from committee to accept the proposed changes; passed unanimously with no abstentions from the vote or recusals.

Proposed Program Changes: U of M – Helena COT – PN Program

Motion from committee to accept the proposed changes to PN certificate and initiate a feasibility study for an associate degree RN program; passed unanimously with no abstentions from the vote or recusals.

**PRACTICE AND
CREDENTIALS
COMMITTEE
RECOMMENDATIONS:**

Applicant: Donna Williams

Kim Powell, RN, made motion to “deny the application for APRN recognition from Donna Williams.”

Motion from committee, passed unanimously with no abstentions from the vote or recusals. Ms Williams was on the phone to hear conversation.

Applicant: Ruth Badgley

Sharon Dschaak, LPN made motion to “accept the application for licensure by endorsement for Ruth Badgley, LPN.” Motion from committee, passed unanimously with no abstentions from the vote or recusals.

**PRACTICE AND
CREDENTIALS**

Applicant: Susan McAlice

CREDENTIALS**RECOMMENDATIONS****(continued):**

Sharon Dschaak, LPN made motion to “accept the application for licensure by endorsement for Susan McAlice, LPN.” Motion from committee, passed unanimously with no abstentions from the vote or recusals.

Applicant: Dianne Lolatte

Sharon Dschaak, LPN, made motion to “accept the application for licensure by endorsement for Dianne Lolatte, LPN.” Motion from committee, passed unanimously with no abstentions from the vote or recusals.

Applicant: Leisa Herseim

Sharon Dschaak, LPN, made motion “to accept the application for licensure by endorsement for Leisa Herseim, LPN, pending verification of current Texas license and NCLEX data verification.” Motion from committee, passed unanimously with no abstentions from the vote or recusals.

Applicant: Marvin Walters

Sharon Dschaak, LPN, made motion to “accept the application for endorsement for Marvin K Walters, LPN.” Motion from committee, passed unanimously with no abstentions from the vote or recusals.

Applicant: Frances Berman

Sharon Dschaak, LPN made motion to “defeat the recommendation from committee of Frances Berman.” Motion passed unanimously with no abstentions from the vote or recusals. Ms Berman was on the phone to hear the deliberation and decision of the Board.

**PRESCRIPTIVE
AUTHORITY****COMMITTEE REPORT:**

Kim Powell, RN Member, gave the Prescriptive Authority Committee report. The following motions came from committee:

Jerriann Coxson, FNP

Motion: “approve prescriptive authority for Jerriann Coxson.” The motion came from Committee and passed unanimously with no abstentions from the vote or recusals.

Brian Bradley, CRNA

Motion: “approve prescriptive authority for Brian Bradley.” The motion came from committee and passed unanimously with no abstentions from the vote or recusals.

GENERAL**DISCUSSION ITEMS:****Board Goals and Evaluation**

Gretchen McNeely made a motion to “accept the Board of Nursing goals for the Fiscal Year 2003-2004”. passed unanimously with no abstentions from the vote or recusals. The approved goals are on the board’s website.

Colleagues in Caring Annual Meeting

Vickie Badgley, LPN Member, made a motion “to send one Board Member to the Colleagues in Caring Annual Meeting in San Francisco, CA.” The dates are November 13-15, 2002. The Board members will decide who will be attending. Motion passed unanimously with no abstentions from the vote or recusals.

GENERAL**DISCUSSION ITEMS****Legislation – Medication Assistants**

(continued):

Kim Powell, RN, made the motion to “establish a subcommittee of the Board of Nursing to review and formulate a medication assistant proposal. In addition. The subcommittee should work with other stakeholders interested in medication assistant licensure.” Vickie Badgley, LPN, gave the second, passed unanimously with no abstentions from the vote or recusals.

Barbara Swehla, Executive Director, Board of Nursing summarized the legislative proposals that the Department of Labor is carrying for the Board of Nursing.

Legislation

Barbara Swehla, Executive Director, discussed the four proposed legislative items. Lisa Addington, Bureau Chief, Health Care Licensing Bureau, described the approval process at the Department of Labor and Industry. The first three items on the list below were approved by the Department. The Board may have to determine the best alternative to deal with the fourth item on Medication Assistants.

- 1) Increase of number of board members to 11 (both to be RN members is being requested).
Rationale: The representation of RNs on the board is not sufficient to meet the demands of Panels and Committees, and is not representative of the licensee numbers in Montana – 11,000 RNs, 3,000 LPNs)
- 2) To remove “for compensation” from the definitions of the practice of nursing.
- 3) Unlicensed Practice – Definitions and Qualifications
- 4) Assisted Living and Other Settings for Medication Assistants

AGENDA ITEMS DEFERRED TO OCTOBER 2002 MEETING:

NCSBN Draft Disaster Preparedness Template.

Disciplinary Actions On-Line (Arkansas example)

2002 Midyear Meeting NCSBN report.

Committee Assignments will be addressed at the October 2002 meeting.

ELECTION OF OFFICERS:

Election of Officers: Steve Rice, Public Member, made a motion to nominate Sharon Dschaak, Secretary for the Board, for the 2003 Fiscal Year. Gretchen McNeely, RN, made the second. Motion carried unanimously. Kim Powell, RN, made a motion to elect Jack Burke as President of the Board for the 2003 Fiscal Year. Lorena Erickson, Public Member made a second, passed unanimously with no abstentions from the vote or recusals.

2003 BOARD MEETING DATES:

The following dates have been set for the Board of Nursing 2003 regular meetings:

January 21,22,23, 2003
April 22, 23, 24, 2003
July, 22, 23, 24 ,2003
October, 21,22, 23, 2003

Due to the Legislative Session in 2003, the Board will be using **Conference calls** scheduled:

Dec. 17, 2002,
February 11& 25,
March 4, 11 & 18
April 8th

These conference calls will be scheduled from **12:00 noon - 2:00 p.m.** provided the lines are available during those times. Jill Caldwell is taking care of the conference call set up. The board staff will check meeting room availability and will bring possible conflicts to the next board meeting, which may require meeting date changes.

OPEN FORUM:

Sami Butler, RN, Executive Director, Montana Nurses Association reinforced the Montana Nurses Association position that their preference would be for Medication aides/assistants to be under the Board of Nursing. She also voiced support for compensation language change citing the Parish nurses as an example.

Susan Goode, also in attendance added commentary in the Medication aide/assistant discussion.

ADJOURNMENT:

The meeting was adjourned at 3:15 p.m.

Kim Powell, RN Member, Acting Chair

Sharon Dschaak, LPN Member, Secretary